

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

Case No. 9:25-cv-80262

CORY CANTNER, on behalf of himself and
others similarly situated,

Plaintiff,

v.

GAME OF SILKS, INC., DAN
NISSANOFF, TROY LEVY, TROPICAL
RACING, INC., RON LUNIEWSKI, and
DEREK CRIBBS,

Defendants.

JURY TRIAL DEMANDED

**DEFENDANTS' MOTION TO COMPEL ARBITRATION ON
AN INDIVIDUAL BASIS AND STAY OR, IN THE ALTERNATIVE,
TO TRANSFER, OR TO DISMISS UNDER RULE 12(b)(6)**

Pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 1-16 and Federal Rule of Civil Procedure 12(b)(1), Defendants Game of Silks, Inc., Dan Nissanoff, Troy Levy, Tropical Racing, Inc., Ron Luniewski, and Derek Cribbs (collectively, "Defendants") respectfully move this Court for an order compelling Plaintiff to arbitrate his claims on an individual basis and to stay this action pending the outcome of arbitration. Alternatively, Defendants request that this matter be transferred to the United States District Court for the District of Delaware pursuant to 28 U.S.C. § 1404(a) and the governing forum selection clause in the parties' contract. Finally, in the event that the Court declines to compel arbitration and/or transfer venue, Defendants move to dismiss the Second Amended Complaint (ECF No. 37) pursuant to Federal Rule of Civil Procedure 12(b)(6).

Dated: July 25, 2025

Respectfully submitted,

/s/ Robert K. Tucker II

GORDON REES SCULLY

MANSUKHANI LLP

Robert K. Tucker II

Fla. Bar. No. 51641

rtucker@grsm.com

100 SE Second Street, Suite 3900

Miami, Florida 33131

Tel: 305.428.5300

Clair E. Wischusen (*pro hac vice*)

cwischusen@grsm.com

277 S. Washington Street, Suite 550

Alexandria, VA 22203

202.800.2999

Peter G. Siachos (*pro hac vice*)

psiachos@grsm.com

677 King Street, Suite 450

Charleston, SC 29403

843.278.5900

*Attorneys for Defendants Game of Silks,
Inc., Troy Levy, Tropical Racing, Inc., Ron
Luniewski, and Derek Cribbs*

/s/ Cody German

COLE, SCOTT & KISSANE, P.A.

Cody German

Fla. Bar. No. 58654

Cody.German@csklegal.com

S. Jonathan Vine

Fla. Bar. No. 10966

jonathan.vine@csklegal.com

Tiffany J. Hornback

Fla. Bar. No. 1031263

tiffany.hornback@csklegal.com

9150 South Dadeland Boulevard, Suite 1400

Miami, Florida 33156

305.350.5300

Attorneys for Defendant Dan Nissanoff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 25, 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will serve a true and correct copy of the foregoing on all counsel or parties of record designated to receive service in CM/ECF.

/s/ Robert K. Tucker II